

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>PAUL HARKER</b>	:	<b>CASE NO.: 1:17CV00830</b>
	:	
<b>Plaintiff,</b>	:	<b>JUDGE SUSAN DLOTT</b>
	:	
<b>vs.</b>	:	<b>MAGISTRATE JUDGE KAREN L.</b>
	:	<b>LITKOVITZ</b>
<b>MIAMI UNIVERSITY, et al.,</b>	:	
	:	<b>AGREED PROTECTIVE ORDER</b>
<b>Defendants.</b>	:	<b>REGARDING MEDICAL RECORDS</b>
	:	<b>AND MEDICAL INFORMATION</b>

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To facilitate discovery and to protect Plaintiff Paul Harker's interests in the confidentiality of privileged and personally sensitive matters contained in his medical records and information, pursuant to Rule 26 of the Federal Rules of Civil Procedure, the parties agree as to the terms of this Order, and the Court being fully advised:

**WHEREAS**, the Defendant has propounded discovery requesting that Plaintiff produce certain documents relating to confidential materials, including Plaintiff's Protected Health Information;

**WHEREAS**, the Parties treat this information as confidential and wish to strictly limit its access to third parties; and

**WHEREAS**, good causes exist to protect the confidential nature of this information;

**IT IS HEREBY ORDERED:**

1. All of Plaintiff's medical records and all information contained in such records shall be deemed "Confidential Material."

2. As used in this Order, “information” encompasses any written, printed, typed, recorded or graphic materials, however produced or reproduced, of any kind or description, including materials which are created or retained by electronic means.

3. All Confidential Material shall be used only for the purpose of the proceedings in these cases, including discovery, trial, hearings and any appeals.

4. The parties agree to limit the disclosure of Confidential Material and all information contained therein only to those individuals involved in prosecution, defense and/or adjudication of this litigation, including the parties, counsel, support staff, necessary third-party advisors and witnesses.

5. In the event that Confidential Material, in whole or in part, is referenced and/or included in depositions, exhibits or other item to be filed with the Court, the filing party shall move for permission to file such depositions, exhibits and/or item(s) under seal and obtain an order granting such relief before filing.

6. Counsel shall instruct all such persons receiving confidential documents to maintain the confidentiality of information protected by this Order, shall furnish them a copy of this Order, and are responsible for ensuring their compliance with this Order.

7. Nothing in this Order shall affect the admissibility of any documents or other evidence at trial or hearing in this action.

8. All Confidential Material, including all copies made by the parties and those copies distributed to parties and/or witnesses, shall be destroyed upon termination of this litigation. The parties shall certify in writing that they have complied with this paragraph of the Order within 60 days after the final termination of this action. The terms of this Order shall survive the final termination of this action and shall continue to bind the parties.

9. This Order shall take effect when entered and shall be binding upon all counsel and their law firms, the parties, and persons made subject to this Order by its terms.

**SO ORDERED.**

Dated: October 24, 2018

S/Susan J. Dlott

UNITED STATES DISTRICT JUDGE

**HAVING SEEN AND AGREED:**

s/ Christian A. Jenkins

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